Frederick County, to wit, Jacob Hole late of Frederick County yeoman was summoned to answer unto Adam Ebert in a plea that he render unto him the sum of thirty four pounds current money which to him he owes and from him unjustly detains and so forth. And whereupon the said Adam by Arthur Shaeff his Attorney complains that whereas on the sixth day of April seventeen hundred and ninety three at Frederick County aforesaid the said Jacob by his certain writing sealed with his seal and now here in Court shewn the date whereof is the day and year aforesaid promised to pay or cause to be paid the said Adam or order the just and full sum of thirty four pounds current money to be paid at or before the eighth day of April then next ensuing the date thereof for value received; Nevertheless the said Jacob although thereunto required to wit on the day and year last aforesaid and often afterwards at the county aforesaid has not yet paid the said sum of money to the said Adam but to pay the same hath hitherto refused and still does refuse, wherefore the said Adam says he is injured and hath damage to the value of Fifty pounds current money of Maryland and therefore he brings suit and so forth

Pledges and So forth ——— John Doe & Richd Roe.

The writing sealed in the declaration aforesaid mentioned follows in the words and figures, to wit, ——— I promise to pay or cause to be paid unto Adam Ebert or order the just and full sum of thirty four pounds current money to be paid at or before the eight day of April next ensuing the date hereof for value received, as witness my hand and Seal this sixt day of April 1793 = Witness present — Henry Gainhart — Jacob Soft — (Seal.)

And thereupon at the prayer of the said Adam Ebert by his Attorney aforesaid the said Jacob Hole is adjudged to answer to the declaration of the said Adam Ebert in the plea aforesaid, And the said Jacob Hole by his said Attorney (as before) defends the force and when and so forth and produces to the Court here a writ of Habeas Corpus in the following words and figures, to wit ——

The State of Maryland &c. To the chief Justice and associate Justices of Frederick County Court and the Sheriff of the said County Greeting: whereas a certain Jacob Hole late of Frederick county is detained in the prison of the said County under the custody of you the said Sheriff at the suit of a certain Adam Ebert in a plea of debt and so forth which said plea as it is said still depends before you the said Justices undetermined; and the General Court being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the said General Court, therefore you are hereby commanded that you have the body of the said Jacob Hole by whatsoever name or names he may be called in the plea aforesaid; together with the cause of his caption and detention and all things thereunto before the said General Court to be held at the city of Annapolis the second tuesday of may next that the said General Court may further proceed therein as to Justice appertains and so forth hereof fail not at your peril; and

have you then and there this writ. Witness the Honorable Jeremiah Townley Chase Esquire chief Judge of the said General Court the eleventh day of February in the year of our Lord one thousand seven hundred and ninety nine ——

Issued the 20th day of march 1799 — R Nelson. John Gwinn Clerk

It is therefore ordered that the record of the proceedings in the action aforesaid be transmitted accordingly — In Testimony that the aforegoing is a true copy of the record and proceedings in the action aforesaid, I have hereunto subscribed my name and affixed the public Seal of Frederick county court aforesaid.

(Seal of Frederick county Court.)

William Ritchie Clerk

At which said day to wit, the said second tuesday of May, being the fourteenth day of the same month, in the year of our Lord, one thousand seven hundred and ninety nine, comes into the General Court here as well the aforesaid Adam Ebert by Arthur Shaeff his Attorney, as the said Jacob Hole by Roger Nelson his Attorney aforesaid, and the said Jacob Hole by his Attorney aforesaid, defends the force and injury when and so forth, and sith that the aforesaid Adam Ebert his action aforesaid against him to have or maintain ought not &c. because he saith that he the said Jacob Hole did pay unto the aforesaid Adam Ebert the said sum of money in the said writing obligatory mentioned with legal interest thereon according to the form and effect of the said writing obligatory and this he is ready to verify wherefore he prays Judgment if the aforesaid Adam Ebert his action aforesaid against him to have and maintain ought &c so forth —

and the aforesaid Adam Ebert by his Attorney aforesaid saith that he by any thing by the said Jacob Hole above in pleading alleged from having and maintaining his action aforesaid against him ought not to be precluded because he saith that the said Jacob Hole hath not paid unto him the aforesaid Adam Ebert the aforesaid sum of money in the writing obligatory aforesaid — mentioned with the interest thereon in such manner and form as the said Jacob above by pleading hath alleged, and this he prays may be enquired of by the country and the said Jacob Hole in like manner and so forth. Therefore let a Jury thereon appear before the Court here on the second tuesday of October next; by whom and so forth, and who neither and so forth, to recognize and so forth, because as well &c so forth, the same day is given to the said parties then and there and so forth — —

and now, at this day, to wit, the said second tuesday of October being the eighth day of the same month, in the year of our Lord one thousand seven hundred and ninety nine, come again into the General Court here, as well the aforesaid Adam Ebert by his Attorney aforesaid, as the said Jacob Hole by his Attorney aforesaid; Nevertheless the said Jacob Hole by his Attorney aforesaid, relinquishing the averment aforesaid, above by him pretended says that he cannot deny the action aforesaid of the aforesaid Adam Ebert so as aforesaid against him brought nor but that he owes to the aforesaid Adam Ebert the aforesaid sum of thirty four pounds current money in such manner and form as the aforesaid Adam Ebert above against him hath declared, nor but that the said Adam Ebert hath sustained damage by reason of the detention of the said debt to the sum of fifty pounds current money besides his costs